

Application No. 09/607,839
Amendment "C" dated November 4, 2004
Reply to Office Action mailed September 2, 2004

REMARKS

Initially, Applicants would like to thank the Examiner for the courtesies extended during the recent interview held on October 12, 2004. The claim amendments made by this paper are consistent with the proposals discussed during the interview.

The latest Office Action, mailed September 2, 2004, considered claims 1-15 and 27-33. Claims 1, 9 and 27 were rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description. In particular, the last action found that there was not adequate support for the term "separate." However, as discussed during the interview, various passages of the application (including the disclosure found on p. 15, ll. 8-10 and Figure 3) support this claim language. Accordingly, the rejections under 35 U.S.C. § 112 should now be withdrawn.

Claims 1-15 and 27-33 were also rejected under 35 U.S.C. § 103(a) as being unpatentable over Cottrille (U.S. Patent No. 6,581,096) in combination with other art¹. However, as discussed during the interview, Cottrille is not a valid prior art reference for purposes of 35 U.S.C. § 103 for obviousness because it was commonly assigned to Microsoft, the assignee of the present application, at the time of the present invention.

New claims 34, & 35 are dependent claims that more particularly recite how having a decision engine separate from the server application can enable the decision criteria stored at the decision engine to be modified without altering code of the server application, as discussed during the interview.

¹ (U.S. Patent No. 5,859,972, U.S. Patent No. 6,678,738). Although the prior art status of this other cited art is not being challenged at this time, Applicants reserve the right to challenge the prior art status of the cited art at any appropriate time, should it arise. Accordingly, any arguments and amendments made herein should not be construed as acquiescing to any prior art status of the cited art.


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Inasmuch as the foregoing remarks obviate all of the rejections of record, as discussed during the interview, Applicants respectfully submit that all of the pending claims are now in condition for prompt allowance.

In the event that the Examiner finds remaining impediment to a prompt allowance of this application that may be clarified through a telephone interview, the Examiner is requested to contact the undersigned attorney.

Dated this 4 day of November 2004.

Respectfully submitted,



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